

### Remarks

Applicants are filing a Request for Continued Examination (RCE) concurrently herewith, together with the instant Amendment, to address the issues raised in the final rejection mailed June 13, 2003.

Referring to page 2 of the Office Action, the application has been reviewed for errors, and the errors noted by the Examiner have been corrected. The names of the genera and species of microorganisms have been italicized.

The objection based on new matter has been overcome by deleting the material added at page 13 regarding the nature of the *Consortium*.

All of the grounds for rejecting claims 21-38 under the first paragraph of 35 U.S.C. §112, beginning on page 2 and continuing over to the top of page 3 of the Office Action have been rendered moot in view of the claim amendments.

Similarly, all of the grounds for rejecting claims 21-38 under the second paragraph of 35 U.S.C. §112 as set forth on page 3 of the Office Action have been rendered moot in view of the claim amendments.

The rejection of claims 21-38 under the first paragraph of 35 U.S.C. §112 beginning at the bottom of page 3 of the Office Action is respectfully traversed.

Initially, as required by the Examiner, a Deposit Declaration concerning the deposited strains is submitted herewith.

The Examiner further takes the position that the specification does not reasonably provide enablement for “marine cyanobacteria obtained from hyper-saline habitat” or “hyper-saline environments in the west seacoast of India”.

However, the actual process of isolating the marine cyanobacteria is a commonly followed procedure, and Applicants are not claiming a process for isolating the cyanobacteria. The present application provides those skilled in the art with the knowledge that the cyanobacteria which can be employed in the present invention are marine cyanobacteria obtained from hyper-saline habitat, and more particularly obtained from hyper-saline environments in the west seacoast of India. With this knowledge, the art-skilled would be able to use a commonly followed procedure to isolate marine

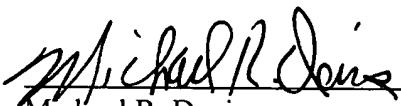
cyanobacteria in addition to the particular strains mentioned in the present application, as referred to by the Examiner.

With respect to the *Consortium*, in view of the amendment set forth above in response to the new matter rejection, and the fact that *Consortium* is one of the deposited strains, it is apparent that the art-skilled would be specifically enabled to use *Consortium* in the process of the present invention.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of rejection set forth by the Examiner has been overcome. Accordingly, the application is now considered to be in condition for allowance, and such allowance is solicited.

Respectfully submitted,

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